## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**PATENT** 

Assignee:

Test Advantage, Inc.

Docket No.:

TAI.0800

Serial No.:

NYA

Inventor:

Buxton, et al.

Filing Date:

Concurrently submitted

TITLE:

METHODS AND APPARATUS FOR

DATA ANALYSIS

## NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

Test Advantage, Inc. ("Assignee"), having reviewed the documentary evidence of which copies are submitted herewith, namely the recordation of assignment from Paul M. Buxton, Emilio Miguelanez Martin, Eric Paul Tabor, and Ali M. S. Zalzala to Test Advantage, Inc., regarding the title to the captioned United States Patent Application and all inventions disclosed and claimed therein, hereby certifies that, to the best of Assignee's knowledge and belief, the entire right, title and interest in the above-captioned United States Patent Application is in Assignee.

Test Advantage, Inc., as the Assignee of the entire right, title and interest in and to the captioned United States patent registration and all inventions disclosed and claimed therein, hereby revokes all previous powers of attorney in respect of the subject registration and appoints as its attorneys to transact all business in the Patent and Trademark Office connected therewith, individually and collectively:

Noblitt & Gilmore, LLC 4800 North Scottsdale Road Suite 6000 Scottsdale, Arizona 85251

> Tel. (480) 994-9859 Fax (480) 994-9025

I hereby appoint, individually and collectively, Noblitt & Gilmore, LLC and the registered attorneys associated with Customer Number 39602 to prosecute and to transact all business in the United States Patent and Trademark Office in the above-captioned registration, all applications based thereon, growing out of or relating to the inventions, and all resulting patents.

Please send all further correspondence to the foregoing address to the attention of Daniel J. Noblitt.

Date: 1 Da. 0

Capri DeModica

President

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

| STATEMENT CLAIMING SMALL ENTITY STATUS<br>(37 CFR 1.9(f) & 1.27(c)) SMALL BUSINESS CONCERN   | Docket Number (Optional) TAI.0800                              |
|--|--|
|  |  |
| Applicant, Patentee, r ld ntifier: Buxton, t al.   |  |
| Application or Patent No.: NYA Filed or Issued: Concurrently submitted   |  |
| Title: METHODS AND APPARATUS FOR DATA ANALYSIS   |  |
| I hereby state that I am  the owner of the small business concern identified below:  |  |
| an official of the small business concern empowered to act on behalf of the concern identification   | ified below:   |
| NAME OF SMALL BUSINESS CONCERN <u>Test Advantage</u> , <u>Inc.</u>   | <u> </u>   |
| ADDRESS OF SMALL BUSINESS CONCERN 1525 West Tenth Place, Tempe, Arizona 8  | 5281   |
| I hereby state that the above identified small business concern qualifies as a small bus 13CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trade to size standards for a small business concern may be directed to: Small Business Admin 409 Third Street, SW, Washington, DC 20416.  | mark Office. Questions related                                 |
| I hereby state that rights under contract or law have been conveyed to and remain with identified above with regard to the invention described in:   | ith the small business concern                                 |
| the specification filed herewith with title as listed above. the application identified above. the patent identified above.  | ,  |
| If the rights held by the above identified small business concern are not exclusive organization having rights in the invention must file separate statements as to their status to the invention are held by any person, other than the inventor, who would not qualify as 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualifunder 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). | as small entities, and no rights an independent inventor under |
| Each person concern, or organization having rights in the invention is listed below:  No such persons, concerns, or organizations exist.   |  |
| each such person, concerns, or organization is listed below:   |  |
| Separate statements are required from each named person, concern, or organization stating their status as small entities. (37 CFR 1.27)  | n having rights to the invention                               |
| I acknowledge the duty to file, in this application or patent, notification of any chang entitlement to small entity status prior to paying, or at the time of paying, the earliest of the fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1  | e issue fee or any maintenance                                 |
|  |  |
| NAME OF PERSON SIGNING Capri DeModica  |  |
| TITLE OF PERSON IF OTHER THAN OWNER President  |  |
| ADDRESS OF PERSON SIGNING 1525 West, Tenth Place, Tempe, Arizona 85281   |  |
| SIGNATURE DATE 7   | U.03   |
|  |  |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

| I DOCT AD AMEAN DAME.  |   |   | ADVANTAGE   |  |  |
|--|---|---|---|--|--|
| DECLARATION FOR  | PATENT APPLICATION  |   | ATTORNEY  | DOCKET   | NO. TALOBOO  |
| My residence/post office<br>I believe I am the origin  | ntor, I hereby declare that:<br>address and citizenship are as st<br>al, first and sole inventor (if only<br>subject matter which is claimed a  | one name is listed t  | elow) or an original  | first and jo   | int inventor (if plura<br>led:   |
| Methods and Apparatus  | for Data Analysis   |   |   |  |  |
| the specification of whice () was filed o Number   | th is attached hereto unless the form  as US Appliand was amended.  | Howing box is check<br>catton Scrial No. or<br>led on   | ked: PCT International Ap   | oplication   |  |
| I hereby state that I have   | reviewed and understood the correct to above. I acknowledge the   | entents of the above-   | identified specification  | n. Includin  | g the claims, as ame<br>o patentability as de  |
| Foreign Application(s) and/o   |   |   |   |  |  |
| TOTE DISTORDER NEW 2NY   | benefits under Title 35, United States of foreign application for parent or inventor  APPLICATION NUMBER  | (A) certificate having a fi   | ling date before that of the  | application on   | which princity is claimed  |
| have also identified below any   | obenefits under Title 35. United States of foreign application for patent or inventor APPLICATION NUMBER  | Code Section 119 of any (a) conflicate having a fi  | ling date before that of the  | Opplication on   | which priority is claimed  D UNDER 35 U.S.C. 119   |
| TOTE DISTORDER NEW 2NY   | totalin application for batem of toxentor   | (A) certificate having a fi   | ling date before that of the  | application on   | which princity is claimed  |
| COUNTRY  Provisional Application   | APPLICATION NUMBER  Title 33, Unlied States Code Section 11   | DATE PILEO  | PRIOR   | TY CLAIME! YES: YES:   | which priority is claimed  D UNDER 35 U.S.C. 119  NO:  |
| COUNTRY  Provisional Application   | APPLICATION NUMBER  Title 33, Unlied States Code Section 11   | DATE PILEO  P(c) of any United States  SERIAL NUMBER  | PRIORI  PROVISIONAL Application(s)  PILLING DATE  | TY CLAIME! YES: YES:   | which priority is claimed  D UNDER 35 U.S.C. 119  NO:  |
| COUNTRY  Provisional Application Dictory claim the benefit under the claim the benefit under the claim of this application is no acknowledge the duty to disciple the court of the country to disciple the court of t | APPLICATION NUMBER  Title 33, Unlied States Code Section 11   | OATE PILED  OCOUNTY United States  SERIAL NUMBER  120 of any United States  Silication in the manner prints  150 37 Confort February                  | PRIORI  PROVISIONAL Application(s)  PILLING DATE  June 27, 2003  application(s) listed below  | TY CLAIME! YES: YES: Ilsted below:   | NO:  NO:  No:  No:  No:  No:   |
| COUNTRY  Provisional Application Dictory claim the benefit under the claim the benefit under the claim of this application is no acknowledge the duty to disciple the court of the country to disciple the court of t | APPLICATION NUMBER  APPLICATION NUMBER  APPLICATION States Code Section 11  APPLICATION S  GO/41  Title 35. United States Code, Section at disclosed in the prior United States up to the matched by the | OATE PILED  OCOUNTY United States  SERIAL NUMBER  120 of any United States  Silication in the manner prints  150 37 Confort February                  | PRIORI  PRIORI  PROVISIONAL application(s)  PILLING DATE  June 27, 2003  application(s) listed below avided by the first paragra Regulations, Section 4.560 | TY CLAIME!  YES:  YES:  Ilsted below:  and, invofar of the 35, a) which necessity. | which princity is claimed  D. UNDER 35 U.S.C. 119  NO:  NO:  so the subject matter of a: United States Code Sectored between the filling d |
| COUNTRY  Provisional Application Discreby claim the henefit under the claims of this application is no acknowledge the day to discharge application and the nation   | APPLICATION NUMBER  APPLICATION NUMBER  APPLICATION States Code Section 11  APPLICATION S  GO/41  Title 33. United States Code, Section at disclosed in the prior United States uppersonate material before as defined in T and or PCT international filling date of this L NUMBER  PILING  | DATE PILEO  O(c) of any United States  SERIAL NUMBER  33,003  120 of any United States dication in the manner prints 37, Code of Federal application. | PRIORI  PRIORI  PROVISIONAL application(s)  PILLING DATE  June 27, 2003  application(s) listed below avided by the first paragra Regulations, Section 4.560 | TY CLAIME!  YES:  YES:  Ilsted below:  and, invofar of the 35, a) which necessity. | NO:  NO:  No:  No:  No:  No:   |

| APPLICATION SERIAL NUMBER | PILING DATE       | STATUS (parented/pending/shandoned) |
|---------------------------|-------------------|-------------------------------------|
| 10/367,355                | Pebruary 14, 2003 | pending                             |
|                           |                   |                                     |
|                           |                   |                                     |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and ballef are policyed to be true; and further that these statements were made with the knowledge that willful false statements and the like an made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therein.

| Full Name of Inventor: Paul M. Buxton                                      | Chleenship: United Kingdom |
|--|----------------------------|
| Residence: 23, Parklands, Droxburn, West Lothian, 21152 5RB, Souland, U.K. |                            |
| Pust Office Address: Rame  |                            |
| Paul Buston  | 2rd December 2003          |
| Inventor's Signature   | Date                       |

|   |  | ATENT APPLICA  | TION                               |                                      |                                     |  |
|---|--|--|------------------------------------|--------------------------------------|-------------------------------------|--|
| DECLARATION FOR PATE  | nt application   |  | ATTORNE                            | V DOCKET                             | YOTALOSOD                           |  |
| As a below named inventor, I<br>My residence/post office addr<br>I believe I am the original, fin<br>are listed below) of the subjec  | ess and citizenship are as s<br>st and sole inventor (if onl                   | y one name is listed                                 | below) or an original              | , first and jo                       | int inventor (if plural name<br>ed: |  |
| Methods and Apparatus for D   | ata Analysis   |  |                                    |                                      |                                     |  |
| the specification of which is a  () was filed on  | ttached hereto unless the fi   | ollowing box is chec<br>lication Serial No. or       | ked:<br>PCT International A        | pplication                           |                                     |  |
| Number  | as US Appl<br>and was amen   | ided on  | (if applicabl                      | e).                                  |                                     |  |
| I hereby state that I have review any amendment(s) referred to 37 CFR 1.56.  Foreign Application(s) and/or Claim foreign priority benefinave also identified below any foreign    | above. I acknowledge the of Foreign Priority Site under Title 35, United State | e duty to disclose a                                 | ll information which               | is material to                       | o patentability as defined in       |  |
| COUNTRY   | . APPLICATION NUMBER   | DATE FILE  | PRIOR                              | PRIORITY CLAIMED UNDER 35 U.S.C. 119 |                                     |  |
|   |  |  |                                    | YES:                                 | NO:                                 |  |
|   |  |  |                                    | YES:                                 | NO:                                 |  |
| Provisional Application hereby claim the benefit under Title  | APPLICATION  | SERIAL NUMBER  | FILING DATE                        | (s) listed below                     |                                     |  |
|   | 60/4   | 183,003  | fune 27, 2003                      |                                      |                                     |  |
| U.S. Priority Claim hereby claim the benefit under Title claims of this application is not discl cknowledge the duty to disclose ma brior application and the national or E       | osed in the prior United States a<br>terial information as defined in          | pplication in the manner<br>Title 37, Code of Federa | provided by the first parag        | raph of Title 35                     | United States Code Section 112      |  |
| APPLICATION SERIAL NUM  | ABER FILIN   | G DATE   | STATUS(patented/pending/abandoned) |                                      | ng/abandoned)                       |  |
| 10/367,355  | Felyruar   | y 14, 2003   | pending                            |                                      |                                     |  |
| hereby declare that all statements ment these statements were made with f Title 18 of the United States Code will Name of Inventor: Eric Paul Tesidence: 425 West Merrill Avenue. | the knowledge that willful false and that such willful false statem abor       | statements and the like :                            | so made are punishable by          | fine or impriso<br>or any patent is  | nment or both under Section 10      |  |
| ost Office Address: Same  |  |  |                                    |                                      |                                     |  |

| PATENT | ADDI | ICATION' |
|--------|------|----------|
|        |      |          |

## DECLARATION FOR PATENT APPLICATION

ATTORNEY DOCKET NO. TAL0800

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below post to an

| I believe I am the original, are listed below) of the sub  | , first and sole inventor (i  | f only one name is listened and for which a pat               | . مم ذیبولیط او                      | on original, firs                            | t and jo<br>on entitle     | int inventor (if plural name   |
|--|---|---|--------------------------------------|--|----------------------------|--|
| Methods and Apparatus fo   |   |   |                                      |  |                            |  |
| the specification of which () was filed on Number  | is attached hereto unless t   | Application Social Mo.  | as DOT Lass                          | national Applic<br>Lapplicable).             | ation                      |  |
| I hereby state that I have r<br>any amendment(s) referred<br>CFR 1.56.   | eviewed and understood<br>to above. I acknowledge   | the contents of the above<br>the duty to disclose al          | re-identified<br>Linformation        | specification, in which is mater             | ncluding<br>rial to p      | g the claims, as amended b<br>atentability as defined in 3   |
| Foreign Application(s) and/or (<br>I hereby claim foreign priority be<br>have also identified below any fo   | enerits under Title 35. United S  | States Code Section 119 of a<br>nventor(s) certificate having | ny foreign app)<br>1 filing date bef | ication(s) for pater<br>ore that of the appl | nt or inver<br>lication on | ntor(s) certificate listed below an which priority is claimed:   |
| COUNTRY  | APPLICATION NUMBE   | R DATE FIL  | ED                                   | PRIORITY C                                   | LAIMEL                     | UNDER 35 U.S.C. 119  |
|  |   |   |                                      |  | YES:                       | NQ:  |
|  |   |   |                                      | •  | YES:                       | NO:  |
| prior application and the national   | fittle 35. United States Code. So<br>isclosed in the prior United State<br>material information as define<br>or PCT international filing date | tes application in the manner of in Title 37. Code of Feder   | June 2                               | a first namamah af                           | 71115 25                   | s the subject matter of each of th<br>United States Code Section 112,<br>red between the filing date of th |
| APPLICATION SERIAL:  | SUMBER I  | ILING DA <b>T</b> E   |                                      | STATUS(patent                                | ted/pendir                 | ig/abandoned)  |
| 10/367,355   | Fe  | bruary 14, 2003   |                                      |  | pending                    |  |
| I hereby declare that all statemen that these statements were made to of Title 18 of the United States Conference of Inventor: Emilio Residence: 11, 2F2, MacDowal Post Office Address: Same | ode and that such willful<br>ode and that such willful false s<br>Migueläñez Martin   | false statements and the like tatements may jeopardize the    | so made are pur<br>validity of the   | aishahle by tine or                          | imprisoni<br>patent issi   | ment or both under Section 1801  |
| Inventor's Signature   | -W  | Date  | 284                                  | - Alou 20                                    | <del>10</del> 3            |  |
| •  | ] /   |   |                                      |  |                            |  |

**BEST AVAILABLE COPY** 

|  |                                | PA   | TENT APPLICA                                      | TION                                  |  |  |
|--|--------------------------------|--|---|---------------------------------------|--|--|
| DECLARATION FOR PATE   | ENT APPLI                      | CATION   |   | 1                                     | ATTORNEY                               | DOCKET NO. TALOSOO   |
| As a below named inventor, I<br>My residence/post office add<br>I believe I am the original, for<br>are listed below) of the subject | ress and cit                   | izenship are as state inventor (if only o                  | one name is listed                                | helow) or                             | an original,                           | first and joint inventor (if plural name   |
| Methods and Apparatus for D  | ata Analys                     | is   |   |                                       |  |  |
| the specification of which is a  () was filed on  Number   | ittached her                   | reio unless the following as US Application and was amende | owing box is check<br>ation Serial No. or<br>d on | ked:<br>r PCT Inter<br>(i             | mational Ap<br>if applicable           | oplication<br>e).  |
| I hereby state that I have revi<br>any amendment(s) referred to<br>CFR 1.56.   | ewed and to above. It          | inderstood the con<br>icknowledge the d                    | itents of the above<br>uty to disclose all        | identified<br>informatio              | specification which is a               | on, including the claims, as amended b<br>naterial to patentability as defined in 3  |
| Foreign Application(s) and/or Clai<br>I hereby claim foreign priority bene<br>have also identified below any fineign                 | fits under Thi                 | le 35. United States Co                                    | ode Section 119 of an<br>s) certificate having a  | y foreign app<br>filing date be       | olication(s) for<br>fore that of the   | patent or inventor(s) certificate listed below ar<br>application on which priority is claimed:   |
| COUNTRY  | APPLICAT                       | TON NUMBER   | DATE FILE   | D                                     | PRIOR                                  | TY CLAIMED UNDER 35 U.S.C. 119   |
|  |                                |  |   |                                       |  | YES: NO:   |
|  |                                |  |   |                                       |  | YES: NO:   |
| Provisional Application<br>I hereby claim the benefit under Telle  | 35, United S                   | APPLICATION SE   |   |                                       | l application(s                        | ) listed below.  |
|  | -                              |  |   | <del> </del>                          |  | -{   |
|  | · }-                           | 60/483   | 5,003   | June .                                | 27, 2003                               |  |
| claims of this application is not disc   | tosed in the praterial inform  | rior United States appl<br>ation as defined in Tit         | ication in the manner p<br>le 37. Code of Federal | nsovided by a                         | he first perage                        | v and, insofar as the subject matter of each of the aph of Title 35, United States Code Section 112 (a) which occurred between the filing date of the approximation of the approx |
| APPLICATION SERIAL NU  | MBER                           | FILING   | DATE  |                                       | STATUS(                                | patented/pending/abandoned)  |
| 10/367,355   |                                | February 1   | 4, 2003   |                                       | *****                                  | pending  |
|  |                                |  |   | · · · · · · · · · · · · · · · · · · · | ······································ |  |
| that these statements were made wid<br>of Title 18 of the United States Code   | h the knowled<br>and that such | ige that willful false su                                  | nements and the like s                            | o made are p                          | unishable by i                         | ion and belief are believed to be true; and furth<br>ine or Imprisonment, or both, under Section 100<br>r any patent issued thereon.   |
| Full Name of Inventor: Ali M. S. 2   | Zalzula                        |  |   |                                       | Čitizenshi                             | p: British   |

## **BEST AVAILABLE COPY**

Residence: 11 (1F1) Moxwell Street, Edinburgh EH10 5HT, United Kingdom

Post Office Address: Same